

CAN DO NOTHING DID NOT FIRE FIRST

SENATE HUNG UP UNTIL STATEHOOD BILL GETS RIGHTS

Fairbanks Tried to Get Immigration Bill Considered But Failed—After Executive Session Body Adjourns (Special to Review.)

Washington, Jan. 23.—Senator Quay is holding the senate to the statehood bill, and intends to continue this policy until he can get the opponents of the omnibus bill to agree to fix a time for voting on the measure.

The statehood bill occupied the attention of the senate for the entire day. During the forenoon Senator Fairbanks of Indiana made a futile attempt to secure consideration of the immigration bill, but was balked by the friends of statehood, who will allow nothing to take the place of the bill to admit Arizona, New Mexico and Oklahoma to statehood.

During the day there were a number of sharp debates on both sides of the question. The opponents of statehood charged the other side with obstructing legislation, which brought out the retort that as soon as statehood was given a fair hearing they were ready to go ahead with other matters.

Senator Burroughs of New Hampshire continued his remarks in opposition to the admission of the territories. He introduced no new argument against the bill. He talked against the measure for about two hours.

After Senator Fairbanks made his unsuccessful attempt to secure consideration of the immigration bill, the senate went into executive session and then adjourned until tomorrow morning.

Tonight both sides state that they will hold out as long as is necessary to win in the battle that is now on.

TITLES TO MILLIONS

Plaster Cast of Tombstone Introduced in Case

Kansas City, Mo., Jan. 23.—In the case of the Priddy estate against the owners of land facing on Independence boulevard, Ord street, Smart avenue and Kansas avenue, on trial today before Judge Evans of the circuit court, the defendants introduced census reports of fifty years ago to prove the age of Mrs. Nancy Priddy, who died in 1892.

Upon the proof of her age hangs the fate of the suit, which affects property valued at \$1,000,000. The point in question is: Was Mrs. Priddy of lawful age when she signed the deed transferring her share in the fifty-two acres? The census reports for each decade since 1830 gave the age of each member of the Priddy family. There is a difference of five years in Mrs. Nancy Priddy's age as given by the plaintiffs and the census reports.

This afternoon important testimony was introduced in the shape of a plaster cast of Mrs. Priddy's tombstone, which is at Central Point, Ore. Over the age as inscribed upon it the opposing attorneys have had a long wrangle. To the casual observer the inscription appears to be "60" years, but on closer inspection a line is seen dividing the cipher. The defendants claim that this line was part of another "6" and that the cipher was made years later by continuing the line of the six into a circle.

Among the property owners of the fifty-two acres of land in question are David T. Beals, H. S. Boice and J. W. McKenzie. Beautiful homes are built on this property and it is now easily worth more than \$1,000,000.

INDIAN SCHOOLS

Washington, Jan. 23.—The annual report of Miss Estelle Reel, superintendent of Indian schools, while adhering strictly to the President's recent order concerning the size of public documents, furnishes a variety of information of the progress the government is making toward the uplifting of its wards. For the last fifteen years the attendance at the Indian schools has steadily increased at the rate of more than a thousand a year, the enrollment for 1901 being 28,610.

ARE PLEASED

Colon, Colombia, Jan. 23.—The news received here that the canal treaty between the United States and Colombia has been signed caused much jubilation throughout the isthmus, and hopes are expressed that the United States will soon begin construction of the canal.

MARCONI ARRIVES

New York, Jan. 23.—Marconi arrived here today. He says his wireless system will be ready for commercial use by the public in an exceedingly short time, within two or three months at least.

GERMAN COMMODORE REPORTS THAT FORT ATTACKED THEM

Bombarding of Venezuelan Fort was Still Going On Yesterday Afternoon at 2 O'clock—Situation Same

Maracaibo, Jan. 23.—At 2 o'clock this afternoon Fort San Carlos was in possession of the government forces, and bombardment by the German warships was still going on.

There has been no material change in the situation. The gunboat Panther was the only vessel to inside the bar.

Communication with the fort is very difficult. Great excitement prevails at Maracaibo.

SCHROEDER'S OFFICIAL REPORT

Claims That Venezuelans Struck Before He Did

Berlin, Jan. 23.—Commodore Schroeder, commander of the German fleet in Venezuelan waters, has officially reported the bombardment of Fort San Carlos. His report from Maracaibo, under date of January 21st, is as follows:

"On the 17th inst., while the Panther was passing the Maracaibo bar she was unexpectedly attacked by Fort San Carlos, which opened a heavy fire.

"To this the Panther replied and a cannonade was exchanged for half an hour. Owing to the difficulty of navigation the Panther then desisted. On the 21st inst., I bombarded the fort with the Vineta and destroyed it."

INJURIOUS TO PUBLIC TRADE

Chicago Coal Conspirators Are Up for Trial

Chicago, Jan. 23.—The fight of the indicted coal men to clear themselves of guilt of "conspiracy to an illegal act, injurious to the public trade," begun before Judge Horton today, when the case against the Northern Illinois Soft Coal Dealers association was called on preliminary hearing.

The motion to quash in behalf of the eighteen corporations composing the association, was quickly overruled and pleas of not guilty entered.

The stipulation of facts presented to the court, which have been agreed to by all parties to the suit, and was announced and date for hearing of arguments and taking of briefs will be fixed early next week.

PRIVATE PENSION BILLS

House Wants Alaska to Have One Delegate

Washington, Jan. 23.—The house today passed 235 private pension bills. They included the pensions to the widow of General Franz Siegel for \$100 per month, the widow of General Negley for \$50 and the widow of Rear Admiral Pickens for \$40 per month.

The Alaska delegate bill has passed. It provides for representation for the territory of Alaska in the house by one delegate. It also defines citizenship and the qualifications of electors and creates the machinery for the election date which shall be the last Tuesday in September.

INVESTIGATION BEGINS

Committee Will Probe Into Lessier Bribery Charges

Washington, Jan. 23.—The house committee on naval affairs began the investigation authorized by the house in consequence of the charges made by Representative Lessier of New York, during the recent session of session of the committee on naval affairs that he had been approached with an offer of money for his vote in the committee in favor of the construction of submarine torpedo boats. Lessier was the first witness. His examination continued during the greater part of the session. Only two other were heard today.

SUFFERS BREAKDOWN

Yonkers, N. Y., Jan. 23.—Dr. R. R. Trotter, the physician in attendance on Miss Clara Morris, the actress, announced today that his patient must cancel all engagements and have absolute rest for an indefinite period. Miss Morris suffers from nervous breakdown, coupled with intermittent fever.

TO SINK COAL MINE

Taylorville, Ill., Jan. 23.—A new coal mine will be sunk at Edinburg this summer. Nearly all the money needed has been subscribed, and the miners have expressed a willingness to take part of their wages in stock.

LEADVILLE SHAFT BURNING

Leadville, Colo., Jan. 23.—No. 1 shaft of the Weldon mine is on fire at 1 o'clock this morning, and will be a total loss.

ANOTHER WRECK ON THE E. P. & S. W. ROAD

NO SENATOR AS YET

REPRESENTATIVE KELLY FOUND BUT MADDEN DISAPPEARS

Colorado Legislature Is No Nearer Solution of Senatorship Problem Than Ever—Lacked One Man

Denver, Jan. 23.—The joint session of the democratic members of the two houses of the legislature has been continuous today except for two hours when adjournment was taken to permit the house members to attend a meeting of the house until 4 o'clock, when the joint session was again called to order.

Again today action on the senatorship matter was blocked by the absence of one man.

Representative Kelly, who could not be found yesterday, was present today, but Madden had disappeared, and at a late hour could not be found.

Caucuses and conferences were held during the day by the different factions, but no settlement is in sight.

CABINET MEETING

CABINET OFFICERS REGRET THAT GERMANY FIRED

Secretary Hay Present to Present

Draft of Treaty Signed with Colombia for Canal Right of Way

Washington, Jan. 23.—Today's meeting of the cabinet was one of the most important held in several weeks. The subjects of great moment were discussed fully in a session continuing for two hours. All the members of the cabinet were present, Secretary Hay leaving his home for the first time in several days to attend the meeting.

Secretary Hay presented the draft of the Panama canal treaty, signed last evening, and both President Roosevelt and his associates in the cabinet expressed satisfaction with the results achieved through the long and difficult negotiations.

The treaty is identical with that drawn by the government, several months ago and at that time submitted to the Colombian government, with a single exception as to the amount of annuity to be paid Colombia for the right of way for the canal.

The Venezuelan situation was discussed at length, but it can be said by authority that no change in the attitude of the United States is contemplated at this time.

The bombardment of Fort San Carlos by the German warships was regretted sincerely by the officials, because of their apprehension that it may complicate seriously the pending negotiations between Bowen as representative of Venezuela and representatives of the powers.

However, while the administration regards the bombardment as unwarranted, the United States has no intention of taking official cognizance of the matter.

TERMS OF CANAL TREATY

United States Will Pay \$10,000,000 to Colombian Government

Washington, Jan. 23.—The treaty between the United States and the government of Colombia, which was signed yesterday by Secretary Hay and Dr. Herran, as representatives of the two countries was transmitted to the senate today, and the senate referred it to the committee on foreign relations.

The treaty was read in executive session, but the injunction of secrecy was not removed.

By the terms of the treaty the United States agrees to make a cash payment of \$10,000,000 in gold to the Colombian government, and after the expiration of nine years to pay a rental of \$25,000 per year.

The lease for the strip of land to be used for the canal and canal purposes is practically made perpetual, the provision on this point being that the first lease shall be for 100 years and renewable thereafter at the pleasure of the United States.

The strip is to be ten kilometers or six miles in width. Over this territory the United States is given police and sanitary jurisdiction, although it is explicitly specified that Colombia does not surrender sovereignty over it.

The United States is to have the privilege of free importation of vessels and material to be used in the construction of the canal.

The third wreck on the El Paso and Southwestern in the past eight days took place yesterday afternoon shortly before 4 o'clock at what is known at Galena Siding, which is just below the Pittsburg and Arizona shaft. Two switch engines came together. No one was injured.

The cause of the wreck seems to have been the failure of Engineer Gray to keep his engine under control. At the time it crashed into engine No. 9 it was running away, and had been for about a mile. He made every effort to stop his train but the brakes were unequal to what they were called on to do.

Engine No. 9, in charge of Engineer Joe Huber was coming from Don Luis to Bisbee with two coal cars and a freight car. Engine No. 7 was hauling five ore cars, each weighing about 100,000 pounds. They met just where the Lowell switch comes into the main track.

Until an official investigation is made it will not be possible to fix the blame. From what was learned last night, neither of the train crews is responsible for the accident yesterday, which will cost the company about \$5,000. This estimate on the loss was given by one of the train men yesterday evening.

It seems that from the time the ore train left the top of the hill they were having a difficult time in the cab of the engine to keep the train from racing. Engineer Gray states that he put on all brakes and kept the rail covered with sand for a distance of fully a mile.

Engine No. 9 which was coming up grade from Don Luis had the right of way and was entitled to the main track. Had it been a minute sooner the Lowell switch would have been passed and the accident averted. If it had gone about ten yards further the engine of the ore train would have struck it about the tender, and a much more serious accident resulted.

None of the trainmen were injured any more than to receive a severe shaking up. All of them had time enough to jump before the two big engines came together with a crash. One on one side of the track is a high bank, and down this Engineer Huber fell, bruising his left shoulder.

When No. 9 approached Galena Siding Yard Master Peirano and Engine Foreman P. C. Gallagher were riding on the footboard on the front of the engine. They jumped as soon as they saw the other train round the curve. Neither was hurt. A small Mexican boy, riding on the coal car in the rear of the engine, was thrown from his seat to the top of the tender, but was not hurt in the least.

The crew of No. 9 was made up as follows: Engineer, Joe Huber; conductor, Charles Peirano, who is also

yard master; fireman, A. J. Ramsey. The following made up the crew of No. 7: Engineer, F. A. Gray; conductor, Frank Possum; fireman, H. Jones.

Engineer Huber stated shortly after the wreck that he did not realize that No. 7 was racing down upon him until after it rounded a sharp curve about 150 yards away. He put on the brakes immediately, and had his train almost at a standstill, when the collision took place. He then jumped.

Engineer Gray says that he was unable to hold his train of nearly 300 tons burden on account of lack of power. He did all he could to stop before reaching the main track, but found it impossible. He says that he whistled for the other engine to give him the track.

Both of the conductors express themselves as confident that the cause of the collision was the running away of the ore train. The switch was turned was turned to give the train on the main track the right of way, and the ore train should have stopped to allow it to pass.

The result of the collision is a wreck that will not be cleared away before this forenoon. The two engines are tightly wedged together, and have badly damaged front end. On No. 9 the steam chest on the left side was broken in two pieces by the force of the crash. The cab of No. 7 is damaged to such an extent that it will have to be rebuilt entirely.

When the trains came together the force behind No. 7 was sufficient to carry No. 9 backwards for about three car lengths. The tender of the ore train engine was lifted from the front trucks, and is not riding on the platform of the engine cab.

The ore cars passed through the wreck without the least damage. They are steel cars, and generally pass through wrecks without damage. The train being pulled by No. 9 broke loose, and started for Don Luis. Before it had gone far, the last two cars parted and started on. They were stopped in a short distance by the brakeman.

The trucks of both engines are badly damaged and are off the track. The rail on one side was torn loose, and turned over on its side. The running gear of both engines is badly broken up, and will not be ready for use until after being in the shops for some time.

The ends of all three of the freight cars that were being pulled by No. 9 are smashed to splinters. The coal from two of the cars is scattered along the track for a distance of about 100 yards. Pieces of broken machinery that were torn from the two engines are lying along the track from where they met to the point where the collision took place. (Continued on Fifth Page.)